

FOR PUBLICATION

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

UNITED FOOD AND COMMERCIAL
WORKERS UNION, LOCAL 1036,

Petitioner,

PHILLIP MULDER; CHARLES BUCK;
LEON GIBBONS; UNITED FOOD AND
COMMERCIAL WORKERS LOCAL 7;
UNITED FOOD AND COMMERCIAL
WORKERS LOCAL 951,

Intervenors,

v.

NATIONAL LABOR RELATIONS BOARD,

Respondent,

GLENN HILTON; UNITED FOOD AND
COMMERCIAL WORKERS LOCAL 951,

Respondents-Intervenors.

No. 99-71317

329 NLRB No. 69

PHILLIP MULDER; CHARLES BUCK;
LEON GIBBONS; and GLENN HILTON,

Petitioners,

v.

NATIONAL LABOR RELATIONS BOARD,

Respondent.

No. 99-71442

NLRB No. 16-CB-3850

REBECCA McREYNOLDS; BARBARA
KIPP,

Petitioners,

UNITED FOOD AND COMMERCIAL
WORKERS LOCAL 7; UNITED FOOD AND
COMMERCIAL WORKERS LOCAL 951,

Intervenors,

v.

NATIONAL LABOR RELATIONS BOARD,

Respondent.

No. 99-71596

NLRB No. 16-CB-3850

NATIONAL LABOR RELATIONS BOARD,
Petitioner,

UNITED FOOD AND COMMERCIAL
WORKERS LOCAL 7; UNITED FOOD AND
COMMERCIAL WORKERS LOCAL 951,
Intervenors,

v.

UNITED FOOD AND COMMERCIAL
WORKERS UNION, LOCAL 1036,

Respondent.

No. 00-70156

NLRB No. 16-CB-3850

NATIONAL LABOR RELATIONS BOARD,
Petitioner,

v.

UNITED FOOD & COMMERCIAL
WORKERS UNION, LOCAL 951,

Respondent.

No. 00-70189

NLRB No. 16-CB-3850

ORDER

Filed September 14, 2001

BEFORE: SCHROEDER, Chief Judge.

Upon the vote of a majority of nonrecused regular active judges of this court,¹ it is ordered that this case be reheard by the en banc court pursuant to

¹Judge Berzon was recused.

Circuit Rule 35-3. The three-judge panel opinion shall not be cited as precedent by or to this court or any district court of the Ninth Circuit, except to the extent adopted by the en banc court.